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IN THE CLAIMS

1. (Currently Amended) A method for adjusting usage of a resource of a communications channel, the method comprising the steps of:

negotiating a current resource setting for usage of the resource of the communications channel;

performing communications on the communications channel using the resource; and

periodically renegotiating a new value for the current resource setting upon detecting a negotiation event during performance of communications on the communications channel using the resource, the negotiation event indicating that an accrued usage cost of the resource of the communications channel is at least one of

i) substantially equals to a cost to renegotiate the current resource setting; and

ii) exceeds a cost to renegotiate the current resource setting, wherein the step of periodically renegotiating a new value for the current resource setting upon detecting a negotiation event comprises the steps of:

detecting a negotiation event related to the resource;

in response to the step of detecting, calculating a new value for the current resource setting that more closely approximates a value of an actual resource usage of the resource of the communications channel; and

negotiating with a resource allocator to establish the new value for the current resource setting, and

wherein if a value of the actual resource usage setting is lower than a former value of the actual resource usage setting, the new value of the current resource setting is calculated to be lower than a former value of the current resource setting.

2. (Canceled)

3. (Original) The method of claim 1 wherein the negotiation event indicates at least one of:

- i) that an actual resource setting of the communications channel substantially equals the current resource setting for the communications channel;
- ii) that an actual resource setting of the communications channel substantially exceeds the current resource setting for the communications channel.

4. (Original) The method of claim 1 wherein the resource is a bandwidth setting of the communications channel and wherein the negotiation event indicates that a data communications device using the bandwidth setting of the communications channel has requested to negotiate a new value for the current resource setting for the bandwidth setting of the communications channel.

5. (Canceled)

6. (Canceled)

7. (Currently Amended) The method claim 51 wherein if a value of the actual resource usage setting is higher than a former value of the actual resource usage setting, the new value of the current resource setting is calculated to be at least one of:

- i) higher than a new value of the actual resource usage setting; and
- ii) substantially equal to the new value of the actual resource usage setting.

8. (Currently Amended) The method of claim 51 wherein the step of calculating a new value for the current resource setting comprises the steps of:

- calculating a new value for a minimum resource setting;
- calculating a new value for a maximum resource setting;

calculating the new value for the current resource setting to be a new value approximately between the value for the minimum resource setting and the value for the maximum resource setting.

9. (Currently Amended) ~~The method of claim 8~~ A method for adjusting usage of a resource of a communications channel, the method comprising the steps of:  
negotiating a current resource setting for usage of the resource of the communications channel;  
performing communications on the communications channel using the resource; and  
periodically renegotiating a new value for the current resource setting upon detecting a negotiation event during performance of communications on the communications channel using the resource, the negotiation event indicating that an accrued usage cost of the resource of the communications channel is at least one of  
i) substantially equals to a cost to renegotiate the current resource setting; and  
ii) exceeds a cost to renegotiate the current resource setting,  
wherein the step of periodically renegotiating a new value for the current resource setting upon detecting a negotiation event comprises the steps of:  
detecting a negotiation event related to the resource;  
in response to the step of detecting, calculating a new value for the current resource setting that more closely approximates a value of an actual resource usage of the resource of the communications channel; and  
negotiating with a resource allocator to establish the new value for the current resource setting,  
wherein the step of calculating a new value for the current resource setting comprises the steps of:  
calculating a new value for a minimum resource setting;  
calculating a new value for a maximum resource setting;

calculating the new value for the current resource setting to be a new value approximately between the value for the minimum resource setting and the value for the maximum resource setting,

wherein the step of calculating the new value for the current resource setting further comprises the steps of:

calculating a summation value to be the sum of the new value for the maximum resource setting and the new value for the minimum resource setting;

calculating the new value for the current resource setting to be the summation value divided by two; and

setting a value of a peak resource usage to be a current value of the actual resource usage.

10. (Original) The method of claim 9 wherein:

the step of calculating a new value for a minimum resource setting calculates the new value of the minimum resource setting to be a maximum of a peak resource usage and a current value of the minimum resource setting; and

the step of calculating a new value for a maximum resource setting sets the new value of the maximum resource setting to be the value of the current resource setting.

11. (Original) The method of claim 10 wherein the negotiation event indicates that an accrued usage cost of the resource of the communications channel is at least one of

i) substantially equals to a cost to renegotiate the current resource setting;  
and

ii) exceeds a cost to renegotiate the current resource setting.

12. (Original) The method of claim 9 wherein:

the step of calculating a new value for a minimum resource setting sets the new value of the minimum resource setting to be the value of the current resource setting; and

the step of calculating a new value for a maximum resource setting calculates the new value of the maximum resource setting to be a maximum of a maximum resource setting and a current value of the actual resource usage setting.

13. (Original) The method of claim 12 wherein the negotiation event indicates at least one of:

i) that an actual resource setting of the communications channel substantially equals the current resource setting for the communications channel; and

ii) that an actual resource setting of the communications channel substantially exceeds the current resource setting for the communications channel.

14. (Currently Amended) The method of claim 98 further including the step of:

setting the maximum resource setting to a value of an upper limit of the current resource setting and setting the minimum resource setting to a value of the actual resource usage setting if, during the performance of communications on the communications channel using the resource, the maximum resource setting substantially equals the minimum resource setting.

15. (Currently Amended) The method of claim 98 wherein the step of negotiating a current resource setting for usage of the resource of the communications channel comprises the steps of:

initializing the new value for the minimum resource setting, the new value for the current resource setting, and a value for a peak resource usage to be a

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current value of the actual resource usage of the resource of the communications channel;

initializing the new value for a maximum resource setting to be a value of an upper limit of the current resource setting of the resource of the communications channel; and

negotiating with a resource allocator to establish the new value for the current resource setting.

16. (Currently Amended) A communications device comprising:

an communications interface;

a memory system;

a processor; and

an interconnection mechanism coupling the communications interface, the memory system, and the processor;

wherein the memory system is configured with a resource negotiation application, that when performed on the processor, provides a resource negotiation process to adjust usage of a resource of a communications channel by performing the operations of:

negotiating a current resource setting for usage of the resource of the communications channel;

performing communications on the communications channel using the resource; and

periodically renegotiating a new value for the current resource setting upon detecting a negotiation event during performance of communications on the communications channel using the resource, the negotiation event indicating that an accrued usage cost of the resource of the communications channel is at least one of

i) substantially equals to a cost to renegotiate the current resource setting; and

ii) exceeds a cost to renegotiate the current resource setting, wherein when the resource negotiator process performs the operation of periodically renegotiating a new value for the current resource setting upon detecting a negotiation event, the resource negotiation process performs the operations of:  
detecting a negotiation event related to the resource;  
in response to the step of detecting, calculating a new value for the current resource setting that more closely approximates a value of an actual resource usage of the resource of the communications channel; and  
negotiating with a resource allocator to establish the new value for the current resource setting,  
wherein if a value of the actual resource usage setting is lower than a former value of the actual resource usage setting, the new value of the current resource setting is calculated to be lower than a former value of the current resource setting.

17. (Canceled)

18. (Original) The communications device of claim 16 wherein the negotiation event indicates at least one of:

i) that an actual resource setting of the communications channel substantially equals the current resource setting for the communications channel; and

ii) that an actual resource setting of the communications channel substantially exceeds the current resource setting for the communications channel.

19. (Original) The communications device of claim 16 wherein the resource is a bandwidth setting of the communications channel and wherein the negotiation event indicates that a data communications device using the bandwidth setting of the communications channel has requested to negotiate a new value for the

current resource setting for the bandwidth setting of the communications channel.

20. (Canceled)

21. (Canceled)

22. (Currently Amended) The method of claim 2016 wherein if a value of the actual resource usage setting is higher than a former value of the actual resource usage setting, the new value of the current resource setting is calculated to be at least one of:

- i) higher than a new value of the actual resource usage setting; and
- ii) substantially equal to the new value of the actual resource usage setting.

23. (Currently Amended) The communications device of claim 2016 wherein when the resource negotiator process performs the operation of calculating a new value for the current resource setting, the resource negotiator process performs the operations of:

- calculating a new value for a minimum resource setting;
- calculating a new value for a maximum resource setting;
- calculating the new value for the current resource setting to be a new value approximately between the value for the minimum resource setting and the value for the maximum resource setting.

24. (Currently Amended) ~~The communications device of claim 23~~ A communications device comprising:

- an communications interface;
- a memory system;
- a processor; and



an interconnection mechanism coupling the communications interface, the memory system, and the processor;

wherein the memory system is configured with a resource negotiation application, that when performed on the processor, provides a resource negotiation process to adjust usage of a resource of a communications channel by performing the operations of:

negotiating a current resource setting for usage of the resource of the communications channel;

performing communications on the communications channel using the resource; and

periodically renegotiating a new value for the current resource setting upon detecting a negotiation event during performance of communications on the communications channel using the resource, the negotiation event indicating that an accrued usage cost of the resource of the communications channel is at least one of

i) substantially equals to a cost to renegotiate the current resource setting; and

ii) exceeds a cost to renegotiate the current resource setting, wherein when the resource negotiator process performs the operation of periodically renegotiating a new value for the current resource setting upon detecting a negotiation event, the resource negotiation process performs the operations of:

detecting a negotiation event related to the resource;

in response to the step of detecting, calculating a new value for the current resource setting that more closely approximates a value of an actual resource usage of the resource of the communications channel; and

negotiating with a resource allocator to establish the new value for the current resource setting,

wherein when the resource negotiator process performs the operation of calculating a new value for the current resource setting, the resource negotiator process performs the operations of:

calculating a new value for a minimum resource setting;  
calculating a new value for a maximum resource setting;  
calculating the new value for the current resource setting to be a new  
value approximately between the value for the minimum resource setting and the  
value for the maximum resource setting,

wherein when the resource negotiator process performs the operation of calculating the new value for the current resource setting, the resource negotiator process performs the further operations of:

calculating a summation value to be the sum of the new value for the maximum resource setting and the new value for the minimum resource setting;

calculating the new value for the current resource setting to be the summation value divided by two; and

setting a value of a peak resource usage to be a current value of the actual resource usage.

25. (Original) The communications device of claim 24 wherein:

the operation of calculating a new value for a minimum resource setting calculates the new value of the minimum resource setting to be a maximum of a peak resource usage and a current value of the minimum resource setting; and

the operation of calculating a new value for a maximum resource setting sets the new value of the maximum resource setting to be the value of the current resource setting.

26. (Original) The communications device of claim 25 wherein the negotiation event indicates that an accrued usage cost of the resource of the communications channel is at least one of

- i) substantially equals to a cost to renegotiate the current resource setting;
- and
- ii) exceeds a cost to renegotiate the current resource setting.

27. (Previously Presented) The communications device of claim 24 wherein:
- the operation of calculating a new value for a minimum resource setting sets the new value of the minimum resource setting to be the value of the current resource setting; and
  - the operation of calculating a new value for a maximum resource setting calculates the new value of the maximum resource setting to be a maximum of a maximum resource setting and a current value of the actual resource usage setting.
28. (Original) The communications device of claim 27 wherein the negotiation event indicates at least one of:
- i) that an actual resource setting of the communications channel substantially equals the current resource setting for the communications channel; and
  - ii) that an actual resource setting of the communications channel substantially exceeds the current resource setting for the communications channel.
29. (Currently Amended) The communications device of claim ~~24~~<sup>23</sup> wherein the resource negotiator process further performs the operations of:
- setting the maximum resource setting to a value of an upper limit of the current resource setting and setting the minimum resource setting to a value of the actual resource usage setting if, during the performance of communications on the communications channel using the resource, the maximum resource setting substantially equals the minimum resource setting.
30. (Currently Amended) The communications device of claim ~~24~~<sup>23</sup> wherein when the resource negotiator process performs the operation of negotiating a current resource setting for usage of the resource of the communications channel, the resource negotiator process performs the operations of:

initializing the new value for the minimum resource setting, the new value for the current resource setting, and a value for a peak resource usage to be a current value of the actual resource usage of the resource of the communications channel;

initializing the new value for a maximum resource setting to be a value of an upper limit of the current resource setting of the resource of the communications channel; and

negotiating with a resource allocator to establish the new value for the current resource setting.

Claims 31-37. (Canceled)

38. (Previously Presented) A method for adjusting usage of a resource of a communications channel, the method comprising the steps of:

negotiating a first resource setting for usage of the resource of the communications channel;

performing communications on the communications channel using the resource;

detecting a negotiation event related to the resource when performing communications on the communications channel using the resource;

in response to detecting, negotiating a second resource setting, the second resource setting related to an actual resource usage value of the resource of the communications channel, if a value of the actual resource usage setting is lower than a former value of the actual resource usage setting, the second resource setting is calculated to be lower than the first resource setting and if a value of the actual resource usage setting is higher than a former value of the actual resource usage setting, the second resource setting is calculated to be at least one of: (i) higher than a new value of the actual resource usage setting, and (ii) substantially equal to the new value of the actual resource usage setting; and

establishing the second resource setting for usage of the resource of the communications channel.

39. (Previously Presented) The method of claim 38 the negotiation event indicates an accrued usage cost of the resource of the communications channel, the accrued usage cost being greater than or substantially equal to a cost to negotiate the second resource setting.

40. (Previously Presented) The method of claim 38 wherein the step of negotiating a second resource setting comprises:

- calculating a new value for a minimum resource setting;

- calculating a new value for a maximum resource setting;

- calculating second resource setting to be a new value approximately between the value for the minimum resource setting and the value for the maximum resource setting.